
HOUSE BILL 1600

State of Washington

56th Legislature

1999 Regular Session

By Representatives Lambert, O'Brien, Mulliken, Talcott, Benson, Schindler, Boldt, Carrell, Koster, Esser, Sullivan, Campbell and Dunn

Read first time 01/29/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to protecting the religious rights of teachers and
2 students; amending RCW 28A.600.025; and adding a new section to chapter
3 28A.600 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.600
6 RCW to read as follows:

7 The legislature finds that the rights of freedom of religion as
8 guaranteed through the First Amendment to the United States
9 Constitution and Article I, section 11 of the Washington state
10 Constitution extend to students and teachers in the common schools of
11 our state in certain circumstances without violating other provisions
12 contained therein or the rights of others.

13 The legislature recognizes that students may choose to exercise
14 these rights, as protected under the law, in various settings
15 appropriate to a school-related event or in seeking comfort or
16 assistance from a teacher in response to a personal or public crisis,
17 such as an accident, injury, illness or death, a shooting or other
18 crime, or a natural disaster.

1 **Sec. 2.** RCW 28A.600.025 and 1998 c 131 s 2 are each amended to
2 read as follows:

3 (1) The First Amendment to the United States Constitution, and
4 Article I, sections 5 and 11 of the Washington state Constitution
5 guarantee that students and teachers retain their rights of free speech
6 and free exercise of religion, notwithstanding the student's enrollment
7 and attendance or the teacher's employment in a common school. These
8 rights include, but are not limited to, the right of an individual
9 student to freely express and incorporate the student's religious
10 beliefs and opinions where relevant or appropriate in any and all class
11 work, homework, evaluations or tests. School personnel may not grade
12 the class work, homework, evaluation, or test on the religious
13 expression but may grade the student's performance on scholastic
14 content such as spelling, sentence structure, and grammar, and the
15 degree to which the student's performance reflects the instruction and
16 objectives established by the school personnel. School personnel may
17 not subject an individual student who expresses religious beliefs or
18 opinions in accordance with this section to any form of retribution or
19 negative consequence and may not penalize the student's standing,
20 evaluations, or privileges. An employee of the school district may not
21 censure a student's expression of religious beliefs or opinions, when
22 relevant or appropriate, in any class work, homework, evaluations or
23 tests, extracurricular activities, or other activities under the
24 sponsorship or auspices of the school district. These rights also
25 include the right of an individual student to engage in student-led
26 prayer at graduation ceremonies, athletic events, school assemblies,
27 and other school-related activities and events when the prayer is
28 student-initiated and presented in a nondisruptive manner. Teachers
29 have the right to pray with students upon request by a student in the
30 event of a disaster, serious crisis, or emergency involving the student
31 or other person, the school, the community, the state, or the country,
32 or involving another student, school, community, state, or country.

33 (2) This section is not intended to impose any limit on the
34 exchange of ideas in the common schools of this state. No officer,
35 employee, agent, or contractor of a school district may impose his or
36 her religious beliefs on any student in class work, homework,
37 evaluations or tests, extracurricular activities, or other activities
38 under the auspices of the school district.

1 (3) The superintendent of public instruction shall distribute to
2 the school districts information about laws governing students' rights
3 of religious expression in school.

--- END ---